

**MINUTES OF MEETING
SUNSHINE WATER CONTROL DISTRICT**

A Regular Meeting of the Sunshine Water Control District's Board of Supervisors was held on **Wednesday, August 8, 2012, at 6:30 p.m.**, in the **Commission Chambers, Coral Springs City Hall, 9551 West Sample Road, Coral Springs, Florida 33065.**

Present at the meeting were:

David Hulett	President
Joe Morera	Vice President
Emily Heafy	Secretary

Also present were:

Craig Wrathell	District Manager
Matt Kozak	Wrathell, Hunt and Associates, LLC
Doug Paton	Wrathell, Hunt and Associates, LLC
Bill Capko	District Counsel
Cory Selchan	Field Superintendent
Rhon Ernest-Jones	District Engineer
Tom Donahue	District Engineer
John McKune	McKune & Associates
Rodney Fitzpatrick	Resident
Louis Gartner	All County Tree
Brittany Orlando	Resident
Robert Weisberg	Resident

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mr. Hulett called the meeting to order at 6:34 p.m.

Mr. Wrathell indicated, for the record, that all Supervisors were present, in person.

Mr. Hulett recognized Mr. Selchan for 30 years of dedicated service to the District.

Mr. Selchan thanked the Board.

SECOND ORDER OF BUSINESS

Citizens' Requests

There being no citizens' requests, the next item followed.

- **Permit Application Review: 3500 Broken Woods Drive**

*****This item, previously Item 11B.i., was presented out of order.*****

Mr. Donahue indicated that is a fence permit application. This situation differs from others, as the property line runs into the center of the canal. The survey shows a 35-foot wide drainage easement on the east side and a 50-foot one on the south side, nearly reaching the house. The property owners wish to install a fence within the existing ficus hedge; however, in keeping with the District's recent policy to maintain canal bank access, a letter of no objection could not be issued, so the property owners submitted a permit application. Mr. Donahue stated that the permit would allow installation of the fence with the condition that a gate be included at the midpoint. The standard language states that the District reserves the right to remove the fence and vegetation, if necessary, to gain access. The permit also suggests removal of the vegetation. Mr. Donahue confirmed that the property owners understand the outlined conditions.

Mr. Ernest-Jones discussed the unique nature of this particular property.

Mr. Morera asked Mr. Selchan if there has ever been a need to access the canal from this property owner's lot. Mr. Selchan replied no and confirmed that he would not gain access from that location; he would enter from the City Hall side. In response to an additional question, Mr. Selchan confirmed that they have never utilized this property for access; however, that does not mean that they never will. Mr. Selchan felt that a removal agreement is sufficient, should access be necessary. Mr. Morera asked that a condition be included requiring removal of the vegetation. Mr. Ernest-Jones concurred and advised that there are other issues to consider.

Mr. Hulett suggested requiring the fence to be a few feet from the canal edge. Mr. Donahue pointed out that the hedge is already a few feet from the canal edge and the request is to install the fence inside the hedge boundaries.

Mr. Robert Weisberg and Ms. Brittany Orlando, the property owners, introduced themselves. Mr. Weisberg reviewed the desired fence location. Mr. Hulett asked Mr. Weisberg if he is okay with the recommended conditions. Regarding the vegetation, Mr. Weisberg felt that it will not grow into large trees. Mr. Ernest-Jones recommended limiting growth to no more than six (6) feet.

Discussion ensued regarding the need to properly maintain the corner of the property.

Regarding the easement matter, Mr. Capko recommended including the easement information in the permit and recording the permit, in lieu of a formal easement agreement.

Ms. Orlando voiced a concern about giving the District even more access to the property, when it already has so much.

Mr. Wrathell further explained the need for the easement and noted that, in the scope of what the District has tried to accomplish, with regard to clearing the right-of-ways, they are being incredibly accommodating with Mr. Weisberg and Ms. Orlando's request. Mr. Weisberg stated that this is not a problem; however, they were surprised that the fence became an issue, as it was not disclosed to them when they purchased the property.

Ms. Orlando confirmed that they are agreeable to the conditions.

On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor, the fence permit application for 3500 Broken Woods Drive, IBI Job #22761, pursuant to the standard and special conditions, as presented, but modifying Condition #2 requiring maintaining the grass in a mowed condition and the existing hedge to a height no higher than six (6) feet and encroaching no closer to the water than it currently sits, and granting an access easement to the District, was approved.

THIRD ORDER OF BUSINESS

Continued Discussion: Proposed Budget for Fiscal Year 2013

Mr. Wrathell distributed an updated proposed budget for Fiscal Year 2013, containing a few revisions. The first revision relates to the number of assessable units. He referred to Page 10, noting that there are fewer assessable units this year, by 25 units. He explained the impact on the current year budget and explained the adjustments made to the proposed budget to account for the reduction, noting that, in spite of the reduction, the District's assessments will still be slightly lower for Fiscal Year 2013. The second item relates to the generator diesel line item, on Page 2, which will be changed to fuel pump station generator. He recalled that fuel was previously combined but is now broken out.

Mr. Wrathell reviewed the reductions in the capital outlay and engineering line items, as discussed at the last meeting.

Regarding the reduction in the number of units, Mr. Wrathell stated that the property appraiser does not provide details but explained possible reasons.

In response to Mr. Selchan's question regarding the propane line item, Mr. Wrathell explained that nothing was budgeted for Fiscal Year 2013; however, the line item must remain, as there were costs in the current fiscal year.

Mr. Hulett asked how the new pump station buildings will impact the District's insurance. Mr. Wrathell will check with the insurance agent to determine if the property insurance coverage is sufficient to cover the new pump stations.

Mr. Hulett noted that the insurance documents reflect coverage for only four (4) trucks and the District now has five (5) vehicles. Mr. Wrathell will confirm that the new truck is added to the insurance and the proposed budget will be adjusted to reflect the premium.

FOURTH ORDER OF BUSINESS

Consideration: Bid Award - Right of Way Vegetation Removal Program - Canals AA and BB

Mr. Donahue presented the bid results and IBI's recommendation to award the ROW Vegetation Removal Program for Canals AA and BB to All County Tree & Landscape Co., Inc., in the amount of \$37,000. He confirmed that three (3) bids were received and All County was the low bidder. Mr. Donahue advised that All County's qualifications, references and project work were verified and satisfactory.

Mr. Donahue indicated that a pre-clearing meeting is scheduled for next Tuesday with All County, IBI Group, Mr. Selchan and Mr. Mark Westfall, Coral Springs' Forrester. At that time, trees and vegetation will be marked for removal. Mr. Donahue voiced his understanding that All County is prepared to begin work during the week of August 20. The work should be completed with three (3) weeks.

Noting the 11 contractors that attended the mandatory pre-bid meeting, Mr. Morera asked if the others chose not to bid. Mr. Donahue noted that some parties were landscape architects or designers that would not bid and a few attendees were there together, leaving only eight (8) possible bidders. Mr. Ernest-Jones confirmed that only three (3) of the attendees chose to bid. Discussion ensued regarding the closeness of the bids received, suggesting a successful bid process with the bidders demonstrating an understanding of the scope of work.

Mr. Hulett asked Mr. Louis Gartner, of All County, to explain where the trees will be flush cut, where stump grinding will occur, etc.

Mr. Gartner stated that the architect did not suggest stump grinding; however, if necessary, All County has stump grinders.

Mr. Donahue explained that the guidelines allow for cutting to three (3) inches above ground, which will be flush, once the grass grows around the stump. He confirmed that there is a

unit price, should there be species that grow quickly and the stump should be ground and sprayed.

Mr. Hulett stressed to Mr. Gartner the importance of a successful project, as this is the first area of the long-term program.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, the All County Tree & Landscape Co., Inc., bid for Right of Way Vegetation Removal Program - Canals AA and BB, in the amount of \$37,000, was approved.

Mr. Rodney Fitzpatrick, a resident, recalled signing paperwork selecting an option and asked if his choice still stands. Mr. Hulett replied affirmatively.

FIFTH ORDER OF BUSINESS

**Update: Right of Way Clearing Program
– Priorities & Inventories**

Mr. Donahue advised that the Canal AA & BB Project is underway. The next priority group has been identified. Canal Z will be the next stretch for tree clearing and canal work, running from west of Coral Ridge Drive to the west outfall. Mr. Donahue stated that he has a survey for the Board’s approval which stakes out the property lines, similar to what was completed for the Canals AA and BB. They are prepared to commence with the same process to address Canal Z.

The third item on the priority list is north of Pump Station #1, 750 feet along Coral Springs Christian Academy, discussed at the last meeting. This area was already inventoried and approximately 57 trees were identified that will require action, under the city’s tree program.

Mr. Donahue reported that the mitigation costs related to Canals AA and BB total \$20,595.

A permit application was submitted for the area adjacent to Pump Station #1.

Noting that Canal Z is next in line, Mr. Morera asked if they will be prepared to proceed immediately upon completing Canals AA and BB. Mr. Donahue stated that they have the option to add that work to the All County contract just approved; however, it could be difficult to proceed immediately, as permits may be pending, etc. Mr. Ernest-Jones reminded Mr. Morera that the District has a permit in hand for removal of nuisance trees and that work could proceed

immediately. Mr. Paton confirmed that the Coral Springs Christian Academy already executed an agreement with the District, so work could commence in that area, as well.

In response to Mr. Hulett's question, Mr. Donahue indicated that the inventory for Canal Z must be completed and anticipated being able to send the resident letters within the next two (2) weeks. Mr. Donahue confirmed that an initial letter to all residents along Canal Z can be sent now, followed by letters to the specific affected homeowners.

Mr. Morera referred to the \$20,595 mitigation amount and asked if it is reasonable, based on what was anticipated. Mr. Ernest-Jones advised that it is slightly lower than expected. Mr. Wrathell noted that the possible benefit of paying mitigation costs to the city is that the District could spin it, politically, should there be resident concerns about the tree removals; the District is removing but paying money for the purchase of new trees within the community.

Mr. Donahue explained the process by which Mr. Westfall determines the mitigation costs.

Mr. Hulett shared a letter to residents that he found from the Lake Worth Drainage District regarding their intention to reclaim their right-of-ways. It notifies residents that plantings, unpermitted docks, fences or other personal property located in the District's canal right-of-way must be relocated, prior to commencement of the project, and that any items remaining will be removed and disposed of at the property owner's expense. Mr. Hulett reminded the Board that the District's program is very fair. Mr. Hulett suggested that a follow-up letter be sent, including a reminder of the property owner's responsibilities, now that the project is complete.

Mr. Morera felt that the follow-up letter should also include a reminder that any violations to the prior agreement will result in removal at the owner's expense.

Following the vegetation removal, Mr. Morera asked how long it will be before the canal restoration work begins. Mr. Donahue indicated that, for Canal AA, the canal restoration and culvert work will be put out to bid in September and bids should be opened in late October; work could begin by the end of the year. Mr. Ernest-Jones clarified that they plan to get the plans out to bid prior to the next meeting. Mr. Morera asked if the project is timed to coincide with the end of the rainy season. Mr. Ernest-Jones replied, almost certainly.

On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor, the David & Gerchar Surveyors proposal to survey the right-of-ways along Canal Z and Canal KK, west from Coral Ridge Drive to Coral Springs Drive, in the amount of \$5,500, was approved.

Mr. Donahue continued with the priority plan, stating that, after Canal E, they would review the west outfall; these would complete the operational canals. They would next address Canal A.

Mr. Donahue noted that the Canal AA and BB project contains a few fences that must be removed and he will work with Mr. Selchan's recommended fence contractor to obtain quotes. Mr. Paton explained the process and confirmed that residents will be notified prior to fence removal and that the fence will be left for the property owner to reinstall, if desired.

Mr. Hulett asked that a draft follow-up letter be prepared for the next meeting.

SIXTH ORDER OF BUSINESS

Discussion: Newsletter

- **Schedule Biannual Mailings**
- **Compile List of Nonresident Recipients**

Mr. Hulett discussed adding certain nonresidents to the District's newsletter mailing list and asked everyone to provide their suggestions.

Ms. Heafy recommended placing the newsletter at City Hall.

Regarding timing of the next newsletter, Mr. Wrathell recommended mailing it near the end of the year.

Mr. Morera suggested sending the newsletter to nonresidents via email. Mr. Hulett voiced his preference for hard copies.

SEVENTH ORDER OF BUSINESS

Discussion: Status of Truck Loan

Mr. Wrathell reviewed the lease-purchase agreement and amortization schedule. He noted that, with two (2) years remaining and only \$2,076 in interest remaining, there may not be a huge benefit to paying it off.

EIGHTH ORDER OF BUSINESS

Update: Florida Association of Special Districts (FASD) Press Release: District of the Year Award

- **Approve: Draft of Thank You Letter to FASD Board and Awards Committee Via FASD Executive Director**

The Board approved and executed the draft thank you letter presented by Mr. Hulett.

- **Surplus Item – Tree Chipper**

******This item was an addition to the agenda.******

Mr. Selchan indicated that the District owns an old tree chipper that has not been used in years and is stored on CSID property. CSID was in the process of disposing of property and included the chipper in its advertisement for bids. Mr. Selchan reported that two (2) bids were received and recommended acceptance of the high bid of \$500, submitted by Mr. Keith Harker.

On MOTION by Ms. Heafy and seconded by Mr. Morera, with all in favor, declaring the tree chipper as surplus property and acceptance of Mr. Keith Harker's bid, in the amount of \$500, was approved.

- **Discuss: Recognition at City Commission Meeting: August 21, 2012**

Mr. Hulett indicated that the District is scheduled to receive special recognition from the City Commission on August 21. He asked that Staff and Mr. Selchan's staff attempt to attend the meeting honoring the District.

- **Resolution 2012-8, Relating to Amending A Retirement Plan to Permit Loans**

******This item was an addition to the agenda.******

Mr. Wrathell presented Resolution 2012-8 for the Board's consideration. He distributed and reviewed the loan program implementation packet. Mr. Wrathell explained that an employee would like to take a loan from his retirement plan. In researching the matter, Mr. Wrathell stated that the loan can be established on the basis of hardship or for an unspecified reason. He detailed the terms of the loan program and was slightly concerned about repayment of the loan, as there is language allowing the employee's retirement account to become taxable if not repaid, as well as the entire retirement plan becoming taxable, if it is not administered properly. Mr. Wrathell stated that up to a maximum of \$50,000, or half of the account balance, can be borrowed.

Mr. Wrathell recommended setting the plan requiring that the employee make full payment, should they leave the company.

Mr. Hulett stated that he briefly reviewed the information and is not currently prepared to vote in favor. He feels that there are other administrative matters that must be researched and completed. Mr. Hulett asked that the Board be presented with a loan guideline agreement and the formal language for amending the plan document, prior to being asked to make a decision.

Mr. Capko concurred.

Mr. Wrathell will complete sample documents to present at the next meeting.

Mr. Hulett clarified that, in principal, he is not opposed to allowing this, but simply needs more information.

NINTH ORDER OF BUSINESS

Approval of July 11, 2012 Regular Meeting Minutes

Mr. Hulett presented the July 11, 2012 Regular Meeting Minutes and asked for any additions, corrections or deletions. The following changes were made:

Line 70: Change “are a few trees” to “is some vegetation”

Line 133: Change “Noting that legal expenses will” to “If legal expenses were to”

Line 156: Replace entire sentence with “Mr. Hulett asked that the SunTrust loan amortization schedule be removed from the budget as it has been paid off.”

Line 319: Change “the recent additional” to “a recent request from a”

Line 351: Change “a 2,000-page document that was” to “the 2000 Committee Report from 1984 that”

On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor, the July 11, 2012 Regular Meeting Minutes, as amended, were approved.

TENTH ORDER OF BUSINESS

Supervisors’ Communications

Mr. Morera indicated that the International Dinner Dance will be held on September 29, at the Heron Bay Marriott.

Mr. Hulett recalled discussion at last month's meeting regarding property owners who had not returned their signed paperwork. Mr. Paton stated that the final two (2) are en route and expected soon.

Mr. Hulett referred to previous requests from property owners whose property abuts CSID but they want the District to cut their pine trees. Mr. Hulett recalled discussion about addressing these on a case-by-case basis. Mr. Paton stated that he and Mr. Selchan visited the area. Mr. Selchan stated that Mr. Morera had questioned moving around from area-to-area. Mr. Selchan noted that not many people have come forward requesting work; therefore, he feels that the District should take advantage of the opportunity to address those that have requested the work. Mr. Hulett asked if All County could address the trees in question. Mr. Donahue advised that these sites are already in the tree permitting process so they can be addressed.

Regarding requiring residents who request tree removals to pay mitigation costs, Mr. Hulett voiced his opinion that the District should cover the mitigation costs as part of the entire program.

Mr. Wrathell recalled the District's intention to record the agreements with the property records and asked if that was done. Mr. Paton replied no. Mr. Wrathell recommended recording them as soon as possible.

Mr. Hulett recalled a resident's allegation last month that his property is in violation and presented a photograph of his property showing that a trimming was completed and demonstrating that he is not in violation.

ELEVENTH ORDER OF BUSINESS

Staff Reports

A. Attorney: *Lewis, Longman & Walker, P.A.*

Mr. Capko had nothing additional to report.

Mr. Morera questioned Mr. Lewis' absence. Mr. Capko indicated that Mr. Lewis miscalculated the meeting date and had a prior commitment to attend the Environmental and Land Use Bar Seminar, at which he is making a presentation.

B. Engineer: *IBI Group*

i. *Permit Application Review: 3500 Broken Woods Drive*

This item was discussed earlier in the meeting.

ii. **Permit Application Log**

Mr. Ernest-Jones indicated that he must work with Management on minor formatting changes to the log.

For the record, Mr. Ernest-Jones clarified that, for the 3500 Broken Woods Drive item listed on the log, a regular permit will be issued, not a “letter of no objection”.

iii. Monthly Engineer’s Report – 07/03/12 to 08/01/12

Mr. Ernest-Jones indicated that three (3) fence inquiries were received and are currently under review.

a. Pump Station Update

Mr. Ernest-Jones stated that he and Mr. Donahue will complete a review of both pump stations tomorrow. Mr. Donahue presented photographs of the pump stations, noting that work is nearly completed. A full summary will be provided to the Board next week. Mr. Donahue projected receipt of the final invoices by September, except for those related to retainage. Mr. Ernest-Jones advised that he wants the Board to review the invoices and change orders prior to the next meeting, so he can answer questions.

Mr. Wrathell asked when the pump stations will officially be turned over to the District. Mr. Donahue anticipated early September.

Mr. Donahue reviewed the pump station photographs. He explained the new sheet piles and repairs at Pump Station #1. He discussed demolition of the old pump stations. Mr. Donahue indicated that Pump Station #2 is operational and has been used a lot; only minor cleanup remains. Regarding the structure, he stated that Murray Logan will disconnect the generator on Friday, move the structure on Monday, excavate the entire area, recompact it and replace the concrete pad. Provisions are in place for when the generator is offsite and, if a storm is approaching, they can run cables for backup power to the pumps. Mr. Donahue stated that it could be three (3) weeks before the generator can be returned and reconnected. The main reason that the generator and slab are being pulled out is to ensure proper replacement of conduits that were damaged as a result of major settling.

Mr. Ernest-Jones stated that Murray Logan confirmed that they will assume responsibility for all invoices related to the repair work.

Mr. Donahue noted that Mr. Selchan is maintaining a list of any ongoing issues and will provide it to MWI, prior to the pump stations being turned over.

In response to Mr. Hulett’s question, Mr. Donahue stated that the louvers are still on the schedule and should arrive shortly; they are being manufactured and will be delivered.

Mr. Hulett asked when turnover takes place. Mr. Ernest-Jones indicated that turnover cannot take place until the project is complete, including restoring the banks. The pump stations are substantially complete, as they are operational. Mr. Hulett asked at what point the District should insure the buildings. Mr. Wrathell asked for advance notice so insurance can be put in place. Mr. Ernest-Jones confirmed that plenty of notice will be given and every possible test will be performed before the project is turned over and the warranty starts.

Mr. Hulett asked the status of the old engines and pumps. Mr. Donahue stated that a notice was published to dispose of the surplus property; additionally, numerous contractors, water utilities and municipalities were made aware of the sale of the equipment. Mr. Donahue stated that a drainage district contacted him expressing interest in the right angle gear drives. The closing date is August 30 and a recommendation will be made at the September meeting. Mr. Selchan confirmed that MWI notified him of their intention to inspect them for possible purchase. Mr. Ernest-Jones advised that he also contacted people who broker this type of equipment to developing/emerging countries.

b. Culverts W-55 and W-56

Mr. Ernest-Jones reported on the culvert on Royal Palm Boulevard. It was noted that the pipe is seven (7) feet in diameter. Mr. Ernest-Jones stated that AT&T had eight (8), four (4)-inch diameter conduits that were to be four (4) feet below ground but turned out to be about 12 feet down, which was a direct conflict with the pipe alignment. When requested to move them, AT&T indicated it would take about a year-and-a-half to move them. Mr. Ernest-Jones reported that the contractors successfully worked around the obstacles presented. In response to Mr. Morera's question, Mr. Ernest-Jones explained how AT&T can access their conduits.

Regarding the W-56 culvert project road closure, Mr. Donahue indicated that Royal Palm Boulevard was closed on July 30 and will remain closed until August 19. After that date, while school is in session, partial road closures will be in effect through September. Mr. Ernest-Jones commended Mr. Donahue for his work on this project.

Mr. Donahue indicated that he will meet tomorrow with Broward County and City of Coral Springs personnel in preparation of issuance of the permits for W-55. Culvert W-55 is scheduled to commence on or about September 4.

In response to Ms. Heafy's question, Mr. Donahue confirmed that a ten (10)-foot high, chain-link fence will be installed around each pump station. Ms. Heafy suggested a black vinyl chain-link fence. Mr. Hulett recommended coordinating with the city to fit with their upcoming

city “entrance” project. Ms. Heafy felt that signage should be included to identify the visible pump station, so that visitors will know what it is, upon entering the community.

Mr. Hulett thanked District Counsel for the reduction on their monthly bill.

C. Field Supervisor: *Cory Selchan*

Mr. Selchan indicated that six (6) inches of rain was received since the last meeting, which has helped keep the basin up.

Mr. Selchan thanked the Board for their recognition.

Mr. McKune noted that the District is benefiting greatly from the contractor that was selected for the pump station project.

Mr. Selchan commended Murray Logan.

D. Manager: *Wrathell, Hunt & Associates, LLC*

i. Unaudited Financial Statements as of June 30, 2012

Mr. Wrathell presented the Unaudited Financial Statements as of June 30, 2012 and the unreconciled cash balances. He indicated that the paperwork is complete to open the three (3) savings accounts previously discussed and anticipated opening the accounts within the next week. Mr. Wrathell referred to Page 2, noting that assessment collections were at 97% through the end of June. He speculated that there may be tax certificate sales in June and should be reflected on the July financials.

On MOTION by Mr. Morera and seconded by Ms. Heafy, with all in favor, the Unaudited Financial Statements as of June 30, 2012 were approved.

ii. NEXT MEETING: September 12, 2012 at 6:30 P.M.

The next meeting is scheduled for September 12, 2012, at this location, at which time the budget public hearing will be held.

TWELFTH ORDER OF BUSINESS

Adjournment

There being no further business, the meeting adjourned at 9:44 p.m.



Secretary/Assistant Secretary



Chair/Vice Chair